

REMARKS/ARGUMENTS

The allowance of claims 23, 24, 27, 29 and 30 is gratefully noted.

The rejection of claims 33 and 34 under 35 U.S.C. 103(a) as being unpatentable over Mantel, the primary reference, in view of DE 3804557, the secondary reference, is respectfully traversed. Nothing in the secondary reference suggests, or makes it possible, to adjust one of the traction elements (ropes) 15' or carrier struts 15 adjustable relative to the other traction element of a pair of traction elements (see Figs. 10 12 of DE 3804557 as compared to the last five lines of claim 33). As has been pointed out, with reference to applicants' Fig. 10, this adjustability makes it possible to lift a bin 26 carried by the pair of traction elements 29, 30.

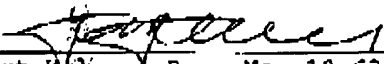
As explained in the sentence bridging columns 7 and 8 of the secondary reference, reference numeral 43 designates a receiving device for head 14 with closing cylinders for hooking into the closures at the upper four corners of container C. In other words, as clearly shown in Figs. 10 and 12, the cylinders noted by the Examiner are attached to longitudinal girders 38 of head 14 and not to traction elements 15'. They do not serve to adjust one of the traction elements relative to the other, and they cannot do so. As a matter of fact, the arrangement of

the secondary reference is designed to prevent tilting of container C, in direct contrast to applicants' claimed arrangement whose purpose it is to enable the lifted container to be tilted. Accordingly, claim 33 is respectfully submitted to be clearly patentable, and claim 34 is believed to be allowable on its own merit since the noted cylinders are not connected to ropes 15'.

A sincere effort having been made to overcome the rejection, favorable reconsideration and allowance of claims 23, 24, 27, 29, 30, 33 and 34 are respectfully solicited.

Respectfully submitted,

UDO WINTER ET AL

  
Kurt Helman, Reg. No. 18,628  
Allison C. Collard, Reg. No. 22,532  
Edward R. Freedman, Reg. No. 26,048  
Attorneys for Applicants

COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802

I hereby certify that this correspondence is being sent by telefax to the US PTO, Fax No. 703-872-0326 on December 12, 2003.

  
Ingrid Mittendorf

PCUSERS\mittendorf\KFI MAN\Winter et al-4 - amend Dec. 03.rpd

-7-